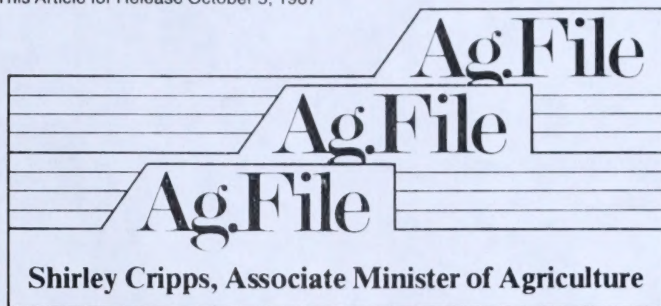


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AGRICULTURAL OPERATION PRACTICES ACT

Over the past number of years, the "right to farm" has become a major issue in agricultural centres all across North America. Alberta has been no exception; as the number of incidents involving disputes over land use has grown, Alberta farmers have become increasingly concerned about their rights as property owners and their vulnerability to litigation.

The "right to farm" issue centers on conflicts resulting from the increasing movement of non-farm people to agricultural areas. In recent years, a growing number of acreage owners across Canada have objected to the smells, noise, dust, and other byproducts of nearby farming operations, and some have actually taken their farm neighbours to court in an effort to force an end to agricultural activities.

In Alberta, lawsuits of this nature have generally been dismissed, or the court has found in favour of the farmer. Nevertheless, our producers have become increasingly concerned over potential nuisance suits, and in recent times have called for "right to farm" or "nuisance protection" legislation.

The Alberta Government has listened to these concerns, and responded.

On June 17, 1987, the Agricultural Operation Practices Act was passed in the Alberta Legislature. This act is similar in purpose to many "right to farm" bills passed elsewhere in Canada and in the United States to protect farmers in nuisance lawsuits arising

from objections to the normal byproducts of farming activities.

Under the Agricultural Operation Practices Act, agricultural operators following generally accepted practices and acting within the land use regulations of the municipality they live in cannot be prevented from carrying on operations on the grounds of causing a nuisance. This protection continues to apply to the agricultural operation in case of a change in municipal land use regulations, a change in the agricultural operation's ownership or personnel, or a change in land use adjacent to the agricultural operation.

I believe this act will prove to be a great benefit to Alberta's rural community. The Agricultural Operation Practices Act provides appropriate protection to farmers, allowing them to carry on the task of producing food and revenue for our province, without fear that they could be successfully sued by neighbours for doing so. At the same time, the Act protects the interests of acreage owners and other non-farming country dwellers, by stipulating that only those farmers who abide by applicable land use bylaws and who follow accepted agricultural practices on their operations are exempt from liability under a nuisance action.

I am confident that the Agricultural Operation Practices Act will help to ensure that both farming and non-farming rural Albertans are able to use and enjoy their property as neighbours and partners in the rural community.